MAP 5 8 465

* BEFORE THE

PETITION FOR ZONING VARIANCE NE/corner Evergreen Drive and Orchard Drive (1705 Evergreen Drive) 13th Election District 7th Councilmanic District

* ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 88-480-A Joseph D. Morris, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance to permit a rear yard setback of 13'5" for a proposed addition as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Joseph Morris, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. Swould result in practical difficulty and/or unreasonable hardship upon the

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13 day of June, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 13'5" for a proposed addition, in accor-

Joseph D. and Florence M. Morris 1705 Evergreen Drive Baltimore, MD 21222 April 21,1988

J. Robert Haines Baltimore County Zoning Commissioner Office of Planning and Zoning Towson, MD 21204

Dear Mr. Haines,

I am writing today to request an earlier date for the variance in which I petitioned. In reference to case number: 88-480-A, I am scheduled for a hearing on June 8,1988. I feel my reasons for an earlier hearing should be considered.

Already the season for parties, weddings and other affairs has started. The Wise Avenue Volunteer Fire Department houses many of these events. This past weekend a party held there resulted in cars parked up and down my street. Later into the party, disorderly guests began fighting and causing commotion in the street , resulting in people falling all over the neighborhood cars. The incidence required the help of the Baltimore County Police Department to resolve.

With this type of action taking place, I ask that you consider my plea for an earlier hearing date. Any effort is greatly appreciated.

Sincerely, Joseph D. Morris dance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment. The addition shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

> Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 I. Robert Haines

May 10, 1988

Mr. Joseph D. Morris 1705 Evergreen Drive Baltimore, Maryland 21222

Dennis F. Rusmussen

RE: Case No. 88-480A Scheduling Hearing Date Earlier

Dear Mr. Morris:

Thank you for your letter of April 25, 1988 to J. Robert Haines, Zoning Commissioner requesting an earlier hearing date, which has been referred to me for reply.

Your reasons for requesting an earlier hearing date and the hardships claimed appear to be valid reasons for this office to afford you every possible consideration regarding an expedient hearing and subsequent decision. I can assure you, that the Zoning Commissioner is dedicated to providing you with the earliest possible hearing date on the docket considering the enormous workload demands on this office and compliance with the zoning law.

It is unfortunate, that at this late time frame in the processing schedule, that there are no available time slots for a hearing earlier than your assigned date. Even if there would be time available on the docket, and this office would receive a request for an earlier hearing for an extreme emergency reason such as loss of residence due to fire, displacement, or other catastrophe. There are required time frames and minimum processing times necessary to comply with the zoning law including posting and advertising.

I regret any inconvenience that this assigned date would cause you, and I would emphasize that you have the earliest possible date at this time in the scheduling procedure.

> Very truly yours limus -JAMES E. DYER
> Zoning Supervisor

WCR, Jr.: dt cc: File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section ___ LB023.Cal to permit a rear yard settack of 13-Ct. 5 in.

in-liew.of_the_requirred_30.Ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 04TE 10/4/K See Attached Copy BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 3-10-88 5-12,450 ng, posting, etc., upon filing of this ing regulations and restrictions of

We do solemnly declare and affirm, the penalties of perjury, that I/we is legal owner(s) of the property 8 128 *** *** 35001 21125 1 D. Morris

ALIDATION OR SIGNATURE OF CASHIER 18Ph & Manis Florence M. Morris City and State Attorney for Petitioner: 1705 Evergreen Drive 288-9293

Baltimore, Maryland 21222 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day County, on the 3H day of JUNE, 19 37, at 2 o'clock

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Zoning Commissions

June 13, 1988

Mr. & Mrs. Joseph D. Morris 1705 Evergreen Drive Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE NE/corner Evergreen Drive and Orchard Drive 13th Election District; 7th Councilmanic District Case No. 88-480-A

Dear Mr. & Mrs. Morris:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> S. ROBERT HAINES // Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

Enclosure cc: People's Counsel

File

JRH:bjs

CLAIMED HARDSHIPS

1. While parked on the street, our vechicles have been subjected to accident damage, vandalism, and theft of parts. The proposed workshop will allow us to use our garage for off street parking.

The Wise Avenue Volunteer Fire Department parking lot is located less than 50 feet east of my property, with ingress/egress off Orchard Drive. On many occassions when social activities are conducted in the fire hall, vehicular traffic overflows from the parking lot onto Orchard Drive and Evergreen Drive, making it impossible for me to park my vehicles in the proximity of my home. The proposed workshop will provide adequate offstreet parking for my vehicles in my garage.

Since it is impractical to build a cellar workshop because of the high water table and the dampness which would damage power tools. We are requesting a zoning variance to build a workshop at the side of our house next to the side of 8300 Orchard Drive. Our house doesn't have a back yard since we our located on a corner we have two side yards one at 1703 Evergreen Drive and the other at 8300 Orchard Drive.

Joseph D. & Plorence M. Morris 1705 Evregreen Drive Baltimore County, Maryland 21222 (301)-288-9293

3/9/88

ZONING DESCRIPTION

Beginning on the northeast corner of Evergreen Drive and Orchard Drive. Being lots 424 and 425 on the plat of Rosewald Beach Book 10, folio 88 containing 7012 square feet in the 12th election district also known as 1705 Evergreen Drive., Baltimore, Md 21222.

Owners: Joseph D. Morris & Florence M. Morris Address: 1705 Evergreen Drive Balto. Md 21222 Lot Size: 7012 Sq. Ft. District: 12 Zoned: D.R. 5.5 Subdivision: Rosewald Beach Lot: 424, 425 Book: 10 Folio: 88

> Baltimore County Zoning Commissioner Office of Planning & Zonang Towson, Maryland 21204 191-3353

J. Robert Hames

NOTICE OF HEARING



Dennis F. Rasmussen The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

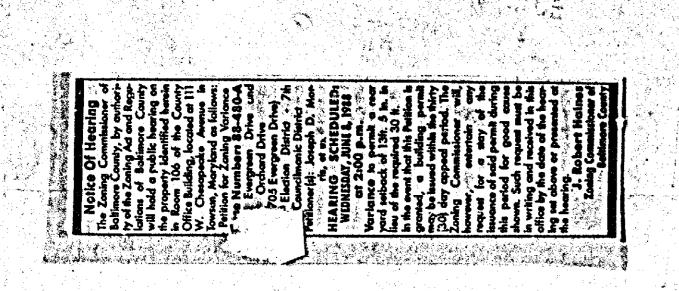
Petition for Zoning Variance CASE NUMBER: 88-400-A NEC Evergreen Orive and Orchard Orive (1705 Evergreen Drive) 12th Election District - 7th Correibmane Petitioner(s): Joseph D. Morris, et un HEAVEAR SCHEEKLED: WED-ESDAY, JONE 8, 1968 SE 2180 p.m.

Variance to person a rear yard settock of 13 ft. 5 in. in lieu of the required 30

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented it the hearing.

J. ROBERT HAINES

Zoning Commissioner of Bulliagre County co: Mr. & Mrs. Joseph D. Maris



UBLICATION CERTIFICATI

THIS IS TO CERTIFY,

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

494-3353 J. Robert Haines

Mr. & Mrs. Joseph D. Morrie

1705 Evergreen Drive Baltimore, Maryland 21222 Res Petition for Zoning Variance

CASE NUMBER 88-480-A NEC Evergreen Drive and Orchard Drive (1705 Evergreen Drive) 12th Election District - 7th Councilmenic Petitioner(s): Joseph D. Morris, at ux HEARING SCHEDULED: MEDNESDAY, JUNE 8, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Morris:

Please be advised that 91.10 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

Date: 5/25/88

Dennis F. Rasmussen

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin

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CENTIFICATE OF POSTING Date of Posting 5795/88 Posted for: VIXION CO

Postitioner: Josoph D. Morris, a Luf

Location of property: N Elcor, Exergine Rive & Prichard Wride Location of Signe Lefting Except Priday especial for Mad way

Remarks: Posted by Date of return: 5/27/88

CERLII 10... NOTICE OF HEARING whites by the owners or secured to the water or secured to the said vehiclers and coment to the said vehiclers. To rectain the motor vehiclers Abandoned Vehicle Unit of the Ba Thorse: (2015) 285-7320. described vehicle's to exercise their

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

> THE JEFFERSONIAN. 5. Zete_Orlan

Publisher *33.75

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Zoning Commissioner

April 14, 1988

Dennis F. Rasmussen County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER 1 88-480-A NEC Evergreen Drive and Orchard Drive (1705 Evergreen Drive) 12th Election District - 7th Councilmenic Petitioner(s): Joseph D. Morris, st ux HEARING SCHEDULED: WEDNESDAY, JUNE 8, 1988 at 2100 p.m.

Variance to permit a reer yard satback of 13 ft. 5 in. in lieu of the required 30

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J. ROBERT HAINES Zoning Commissioner of Baltimore County cc: Mr. & Mrs. Joseph D. Morris

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this 23rd day of March 19 88 Petitioner Toesph D. Morris, et ux Received by: James R. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204

April 12, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 320, 324, 325, 326, 327, 328, 331, 333, 334 and 335.)

> Very truly yours, Kichaels? Michael S. Flanigan Traffic Engineer Associate II

MSF/pm1-b

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke Chef J. Robert Haines Zoning Commissioner Office of Planning and Zoning

Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Joseph D. Morris, et ux

Location: NE/c Evergreen Dr. and Orchard Dr.

Item No.: 335

Zoning Agenda: Meeting of 3/22/88

April 5, 1988

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department. 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment of this time.

Dennis F. Rasmussen

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE May 17, 1988

COUNTY OFFICE BLOG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. & Mrs. Joseph D. Morris 1705 Evergreen Drive Baltimore, Maryland 21222

> RE: Item No. 335 - Case No. 88-480-A Petitioner: Joseph D. Morris, et ux Petition for Zoning Variance

State Roads Commissi

Bureau of Health Department Project Planning Building Department Board of Education Toning Administration Dear Mr. & Mrs. Morris:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Growt Byalac JAMES E. DYER Chairman

Zoning Plans Advisory Committee

JED:dt

Enclosures

BALLMORE COUNTY, MARYL ND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner May 16, 1988

P. David Fields, Director
Office of Flanning and Zoning

SUBJECT Zoning Petitions 188-480-A, 88-481-A, 88-482-A, 88-483-A, 88-484-A, 88-483-A, 88-483-A, 88-493-A, 88-495-SpHA, 88-498-A, 88-499-A, 88-500-A, 88-503-A, 88-504-A, 88-505-A

> There are no comprehensive planning factors requiring comments on these petitions.

PDF/jat

ZONING OFFICE

NOTICE OF HEARING

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Variance to permit a rear yard estback of 13 ft. 5 in. in lieu of the required 30 ft. To build a 15' x 18' workshop on the side of the existing garage

brought : N W/ ZNd

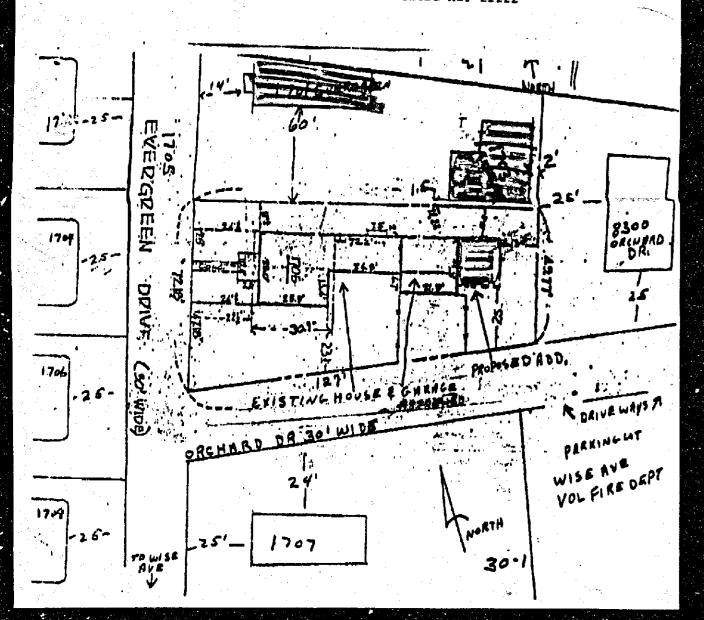
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J. ROBERT HAINES Zoning Commissioner of Baitimore County cc: Mr. & Mrs. Joseph D. Morris I have no objectinns to Mr. MORRIS'S plans to build a second floor workshop on his building that is under construction at this time

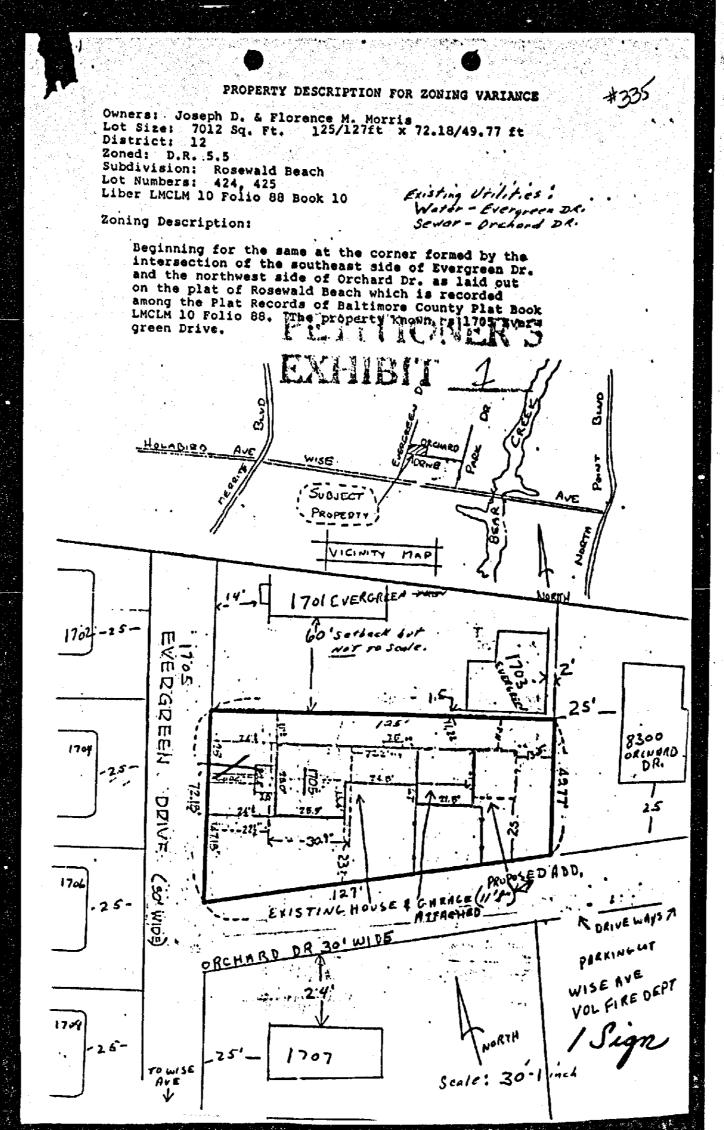
Mr. + Mrs. Oshn Burle 15/88

JOHN L. BOTLER

Evergreen dr. Baltimore Md. 21222







Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines Bening Communicate

NOTICE OF HEARING

April 14, 1988

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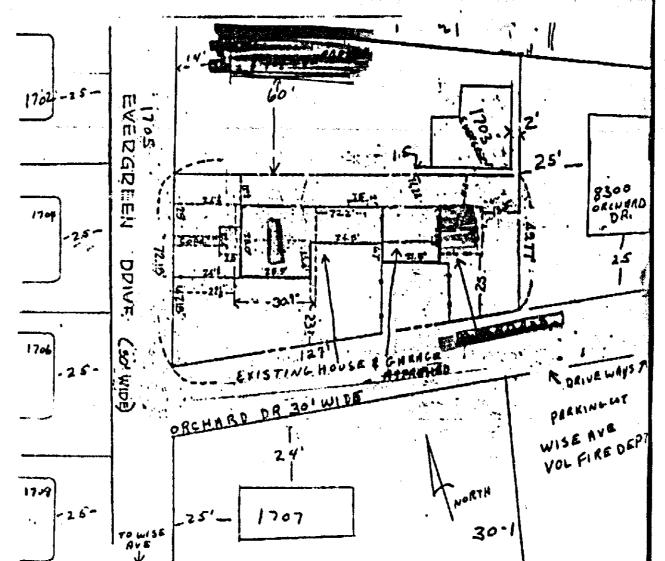
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J. ROBERT HAINES Zoning Commissioner of Baltimore County

acs Mr. & Mrs. Joseph D. Morris

EXHIBIT



BALTIMORE COUNTY MARYLAND

OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204 1705 EVERGRUEN DE OMERS WAR JOSAPH D + Florance M. MIRGE MALMO ADDRESS DOMAN 1705 E GERGEREN DR 21772 BUILDING CONTRACTOR OWNER TYPE OF IMPROVEMENT MERCHAN PROPOSES WORK THAN CODE DECACOSE STANFED COST OF 1/5-0 1/6

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F.F.P. Se. 9.4 L.F.F. EL 10-4

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Restriction 2 - Addition may not Use as second dwelling or Apr No Living Steeping guestacone Finction on bathly about Accorded

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Bultimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines Soning Communications

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. ROBERT HAINES Zoning Commissioner of Baltimore County co: Mr. & Mrs. Joseph D. Mozzá file

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Baltimore Md. 21222

